

Certification of Mailing or Facsimile Transmittal	
I hereby certify that I have reasonable basis to expect that, on the date shown below, this correspondence is being submitted as indicated below:	
[ ] mailed or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
[ X ] facsimile transmitted to the U.S. Patent and Trademark Office via fax number (703) 572-9306	
Name Kathy Mueller	Registration No. (if applicable)
Signature <i>Kathy Mueller</i>	
Date 9/26/05	

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/635,249  
Applicant(s) : Donald C. Roe et al.  
Filed : August 6, 2003  
Title : Wearable Article Having A Temperature Change  
: Element  
TC/A.U. : 3761  
Examiner : Michael G. Bogart  
Conf. No. : 9458  
Docket No. : 8556C  
Customer No. : 27752

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTINGREJECTION OVER A PATENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The owner, The Procter & Gamble Company, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of patent No. 6,642,427 B2 as the term of said patent is defined in 35 U.S.C. §154 and §173, and as the term of said patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 and §173 of the patent, as the term of said patent is presently shortened by any terminal disclaimer, in the event that said patent

later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney or agent of record.

Authorization is given to charge Deposit Account No. 16-2480 for the fee required under 37 C.F.R. §1.20 (d) of \$130.00 for submission of this Terminal Disclaimer. A duplicate copy of this correspondence is enclosed to facilitate charging of the fee.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By Matthew P. Fitzpatrick

Signature

Matthew P. Fitzpatrick

Typed or Printed Name

Registration No. 41,751

(513) 634-4287

Date: September 26, 2005

Customer No. 27752

(Trmpdisc.doc)

(Last revised 3/7/2005)